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*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FRANCISCO RODRIGUEZ and ARISTIDES  
ALFREDO DILLATORO

Plaintiffs,

- against -

RIDGE RESTAURANT, INC. d/b/a ALFREDO'S  
PIZZERIA, DENNIS D'ONOFRIO and PHILIP  
D'ONOFRIO,

Defendants.

16-CV-00254

NOTICE OF MOTION FOR  
SUMMARY JUDGMENT

Hon. Denis R. Hurley, USDJ

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and annexed materials, Plaintiff Aristides Alfredo Villatoro s/h/a Aristides Alfredo Dillatoro, by the Moser Employment Law Firm, P.C., shall move the Court before the Honorable Denis R. Hurley, USDJ, at the United States Courthouse for the Eastern District of New York, 100 Federal Plaza, Central Islip, NY 11722, on such day and time as counsel may be heard, for an order:

- (1) Granting summary judgment in favor of the Plaintiff and against Defendants Ridge Restaurant, Inc. d/b/a Alfredo's Pizzeria and Dennis D'Onofrio on Plaintiff's claims for Overtime under 29 USC § 207 and 12 NYCRR § 146-1.4, Spread of Hours Pay under 12 NYCRR § 146-1.6, Wage Notice Violations under NYLL § 195.1(a), and Wage Statement Violations under NYLL § 195.3;
- (2) Finding Dennis D'Onofrio jointly and severally liable as an employer under the FLSA and the NYLL;

- (3) Entering Judgment against the Defendants for a sum certain consistent with the Court's decision, including liquidated damages and prejudgment interest; and
- (4) Granting leave to make an application for attorneys fees and costs within 30 days of entry of judgment; and
- (5) Such other relief as the Court deems fair and just.

Dated: Glen Cove, New York  
January 21, 2020

Respectfully submitted,  
MOSER LAW FIRM, P.C.

By:



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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FRANCISCO RODRIGUEZ and ARISTIDES  
ALFREDO DILLATORO

Plaintiffs,

16-CV-00254 (DRH)

- against -

RIDGE RESTAURANT, INC. d/b/a ALFREDO'S  
PIZZERIA, DENNIS D'ONOFRIO and PHILIP  
D'ONOFRIO,

Defendants.

CERTIFICATE OF SERVICE


The undersigned counsel hereby certifies that on January 21, 2020 he caused a true and correct copy of the annexed motion for summary judgment, supporting memorandum of law and all papers in support thereof to be served by email upon the counsel of record listed below:

Eric Bressler ([ebressler@wbglawyers.com](mailto:ebressler@wbglawyers.com))

And by first class mail to:

WICKHAM, BRESSLER & GEASA, P.C.  
13015 Main Road, PO Box 1424  
Mattituck, NY 11952

Dated: Glen Cove, New York  
January 21, 2020

  
Steven John Moser (SM1133)